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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,528	10/16/2003	A. Anthony East	10019.0025.7	5223
30166	7590	05/26/2005	EXAMINER	
WOMBLE CARLYLE SANDRIDGE & RICE PLLC			GALL, LLOYD A	
300 N. GREENE STREET			ART UNIT	
SUITE 1900			PAPER NUMBER	
GREENSBORO, NC 27401			3676	

DATE MAILED: 05/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/687,528

Applicant(s)

EAST ET AL.

Examiner

Lloyd A. Gall

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2005.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-24 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 09 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Applicants should note that with respect to the following prior art rejections, it is noted that a garage door is not being positively claimed, nor are elongated lock bars or snap cables. Further, the prior art is capable of use with a garage door, elongated lock bars and cables.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4-8, 10, 12, 15 and 18-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Hauber (201).

Hauber teaches a door locking system including an elongated spindle 14 having an outside handle 18 with a key locking member on the outside end of the spindle, an inside locking member 38, 38a defined by a push-button on the inside end of the spindle, the locking member 38, 38a having at least a portion of cylindrical shape as seen in fig. 3, an actuator yoke 12, 52 having an ends 52 capable of being connected to a lock bar 50 or capable of use with a latch cable, an inside handle 46 on the inside end of the spindle, the yoke including a hub portion 12 which is between the handle 46 and the ends 52, wherein the ends 52 are nearer the outside end of the spindle than the hub, and an outside escutcheon 16a.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hauber (201) in view of Howell (909).

Howell teaches a key cylinder 22 on an outside handle 20. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize a lock cylinder with the key lock on the outer handle of Hauber, in view of the teaching of Howell, the motivation being to allow authorized actuation of the outer handle by only those who possess the proper key.

Claims 9, 11, 13, 14, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hauber (201) in view of Miller (065).

Miller teaches an inside escutcheon 11, 17, including a raised central portion 17 in fig. 2 and a recessed outer portion 11 in fig. 2, wherein the recessed portion provides clearance for yoke portions 20. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an inner escutcheon for the inner handle and yoke of Hauber, in view of the teaching of Miller, the motivation being to properly orient the inside components 12, 46 to the inside face of the door.

Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

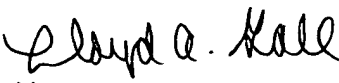
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 571-272-7056. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LG LG
May 23, 2005


Lloyd A. Gall
Primary Examiner